

Appl. No. 09/441,805
Amdt. Dated June 9, 2004
Reply of Office Action of May 5, 2004

Remarks/Arguments

Claims 1-14 are pending in the application. In the Action, the Applicants' rebuttal of the rejections of claims 1-14 set forth in the prior Actions were deemed not persuasive.

While all of the claims currently stand rejected as being obvious, the Office agrees there has been no art cited as the basis for the rejection to support statements that the invention would have been obvious to one of ordinary skill. As the Applicants have already overcome all of the cited art, there is no need for additional amendments to distinguish the present invention from the art.


The ambiguous rejection maintained in this application leaves the Applicant in the unfortunate circumstance of having rejected claims with no opportunity to overcome the rejection, because of its ambiguous nature. Clearly, this is not a satisfactory outcome and only the Office is positioned at this point to change this outcome.

Applicants respectfully request that the finality of these rejections be withdrawn and either 1) a more definite rejection be provided that gives the Applicant an opportunity to respond, or 2) the claims be deemed patentable and the claims passed to allowance.

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Applicants believe that no additional fees are due with this response. However, the Commissioner is authorized to charge any fees, including those under 37 CFR 1.16 and 1.17, necessitated by this amendment and credit any overpayments to Deposit Account No. 500477.

Respectfully submitted,

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